

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

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| UNITED STATES OF AMERICA, Plaintiff, vs. OJULU OMOT, Defendant. | 4:20-CR-40027-01-LLP REPORT AND RECOMMENDATION |
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This matter came before the court for a change of plea hearing on Thursday, April 29, 2021. The defendant, Ojulu Omot, appeared by video and by his counsel, Tracye Sherrill, also by video. The United States appeared by its Assistant United States Attorney, by video.

The defendant consented in open court to the change of plea before a United States Magistrate Judge and to appearing for the hearing by video. This court finds that the defendant's consent was voluntary and upon the advice of counsel. The government also consented to the plea hearing before a magistrate judge. Further, the parties waived their right to object to the report and recommendation.

Defendant has reached a plea agreement wherein he intends to plead guilty to the indictment which charges him with conspiracy to distribute a controlled substance in violation of 21 U.S.C. §§ 841(a)(1) and 846. At the

hearing, the defendant was advised of the nature of the charges to which the defendant would plead guilty and the maximum penalties applicable, specifically: mandatory minimum 10 years' imprisonment and up to a life term of imprisonment; a \$10 million fine; or both; mandatory minimum 5 years' supervised release and up to a life term of supervised release; an additional 5 years' imprisonment if supervised release is revoked as well as an additional term of supervised release with a maximum term of life on supervised release; and a \$100 special assessment.

Upon questioning the defendant personally in open court, it is the finding of the court that the defendant is fully competent and capable of entering an informed plea, that the defendant is aware of the nature of the charges and the consequences of the plea, and that his plea of guilty to the indictment is a knowing and voluntary plea supported by an independent basis in fact containing each of the essential elements of the offense. It is my report and recommendation that the defendant's plea of guilty be accepted and that he be adjudged guilty of that offense.

DATED this 29th day of April, 2021.

BY THE COURT:



VERONICA L. DUFFY
United States Magistrate Judge